

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 06-13538
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT JAN 11, 2007 THOMAS K. KAHN CLERK

D. C. Docket No. 04-00041-CR-CG

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JAMES HUBERT CAIN,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Alabama

(January 11, 2007)

Before TJOFLAT, BLACK and HULL, Circuit Judges.

PER CURIAM:

Kristen Gartman Rogers, counsel for James Hubert Cain in this appeal from

his re-sentencing, which was mandated in United States v. Cain, 433 F.3d 1345 (11th Cir. 2005), when we affirmed his conviction and sentencing guideline calculation, has moved to withdraw from further representation of the appellant and has filed a brief pursuant to Anders v. California, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967). Our independent review of the entire record reveals that counsel's assessment of the relative merit of the appeal is correct. Because we previously affirmed Cain's conviction, and because independent examination of the entire record reveals no arguable issues of merit, counsel's motion to withdraw is **GRANTED**, and Cain's sentence imposed by the district court on May 17, 2006, is **AFFIRMED**.